



Ohio Administrative Code

Rule 5122-31-01 Applicability and definitions.

Effective: August 10, 2026

The provisions of this chapter apply to any structure in the state of Ohio that is a recovery housing residence, regardless of whether the structure holds itself out to be, or represents itself as, a recovery housing residence.

As used in this chapter:

- (A) "Abuse" means any act or absence of action inconsistent with human rights which results or could result in physical injury to a resident unless the act is done in self defense or occurs by accident; any act which constitutes sexual activity, as defined under Chapter 2907. of the Revised Code, when such activity would constitute an offense against a resident under Chapter 2907. of the Revised Code; insulting or coarse language or gestures directed toward a resident which subjects the resident to humiliation or degradation; or depriving a resident of real or personal property by fraudulent or illegal means. For children, "abuse" is as described in section 2919.22 of the Revised Code; "abused child" has the same meaning as in section 2151.031 of the Revised Code.
- (B) "Adult" means an individual aged eighteen years or older who is unrelated to the operator of a recovery housing residence.
- (C) "Alcohol and drug addiction services" has the same meaning as in section 5119.01 of the Revised Code.
- (D) "Board of alcohol, drug addiction, and mental health services" or "board" has the same meaning as in section 5119.90 of the Revised Code.
- (E) "Certifiable services or supports" and "certifiable services and supports." depending on the context, means the alcohol and drug addiction services, mental health services, and recovery supports that the department certifies and which are specified in Chapter 5122-29 of the Administrative Code.
- (F) "Certification" means the written authorization from the department for a recovery housing residence to operate in accordance with sections 5119.39 to 5119.397 of the Revised Code and the rules in this chapter.
- (G) "Child" or "adolescent" means an individual under eighteen years of age or an individual with a severe mental disability under twenty-one years of age.
- (H) "Child" or "adolescent" means an individual under eighteen years of age or an individual with a severe mental disability under twenty-one years of age.
- (I) "Deficiencies" means violations of standards or inadequate or substandard compliance with the mandates in sections 5119.39 to 5119.397 of the Revised Code or this chapter.



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- (J) "Department" means the department of behavioral health.
- (K) "Director" means the director of behavioral health who is appointed by the governor under section 121.03 of the Revised Code.
- (L) "Emergency" means an impending or crisis situation which creates circumstances demanding immediate actions for prevention of injury to the persons or others.
- (M) "Guardian" has the same meaning as in section 2111.01 of the Revised Code.
- (N) "Hospital" or "inpatient psychiatric service provider" means a psychiatric hospital or psychiatric inpatient unit administered by a general hospital, or a community mental health services provider as defined in section 5119.01 of the Revised Code that provides inpatient psychiatric services.
- (O) "Inducement" means the act or process of enticing or persuading another person to take a certain course of action.
- (P) "Manager" means the individual responsible for the daily operation of a recovery housing residence. The manager, operator, and owner may be the same individual.
- (Q) "Mental illness" has the same meaning as in section 5119.01 of the Revised Code.
- (R) "Mental health services" has the same meaning as in section 5119.01 of the Revised Code.
- (S) "Neglect" means a purposeful or negligent disregard of duty by an employee or staff member. Such duty is one that is imposed on an employee or staff member by statute, rule, or professional standards and which is owed to the individual served by that employee or staff member.
- (T) "Non-ambulatory" means an individual who:
- (1) Is unable to get in and out of bed independently;
 - (2) Is unable to walk without physical assistance from another individual; or
 - (3) Requires a wheelchair.
- (U) "Operator" means the person or government entity that is responsible for the administration and management of a recovery housing residence, who may be the applicant for a recovery housing residence certification, and who may be the approved certificate holder.



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- (V) "Owner" means the person or government entity who owns a recovery housing residence and to whom the operator of the residence, if different from the owner, is responsible.
- (W) "Person," consistent with section 1.59 of the Revised Code, includes an individual, corporation, business trust, estate, trust, partnership, or association.
- (X) "Recovery housing residence" has the same meaning as in section 5119.01 of the Revised Code.
- (Y) "Recovery supports" has the same meaning as in section 5119.01 of the Revised Code.
- (Z) "Resident" means an individual who resides in a recovery housing residence pursuant to a lease agreement and resident agreement with the residence's operator.
- (AA) "Staff" means any individual or individuals participating in the physical operation of a recovery housing residence regardless of whether that individual is compensated for that assistance. "Staff" includes the operator when the operator is a participant in the performance of those activities.
- (BB) "Substance abuse" means the use of alcohol or any drug by an individual to the extent of physical or psychological dependency on the drug or to the extent that an individual's health, safety, or welfare is endangered.
- (CC) "Variance" means written permission granted by the department to a recovery housing residence to meet a modified standard of a rule in the Administrative Code.
- (DD) "Waiver" means written permission granted by the department to a recovery housing residence to be exempted from a standard or specific provision of a rule in the Administrative Code.